



Variance Petition No. 201404420

HEARING & MEETING DATES

Board of Appeals Hearing
February 12, 2015

APPLICANT/PETITIONER INFORMATION

Property Owner	Petitioner	Representative
Chul Ho Yun	Michael Fletcher	Michael Fletcher

PROPERTY INFORMATION

Address, Land Lot(s), and District	5861 Roswell Road Land Lot 90, 17 th District
Council District	5 (Tiberio "Tibby" DeJulio)
Frontage	Approximately 140.18 feet of frontage along the east side of Roswell Road Approximately 251.78 feet of frontage along the south side of Carpenter Drive
Area	Approximately 0.86 acres
Existing Zoning	C-1 (1965Z-0034) Community Business District
Existing Use	Undeveloped
Overlay District	Main Street
2027 Comprehensive Future Land Use Map Designation	Living-Working Regional (LWR)

INTENT

The applicant is proposing the construction of a commercial building. The applicant is requesting one primary variance(s) as follows:

1. Primary variance from Section 12B.8.F (2) (c) (i) of the Zoning Ordinance for relief from the 60% glazing requirement on a ground level façade for construction of a new building.

DEPARTMENT OF COMMUNITY DEVELOPMENT RECOMMENDATION

201404420 – 1) APPROVAL CONDITIONAL

STANDARDS FOR CONSIDERATION

Variance #1

Primary variance from Section 12B.8.F (2) (c) (i) of the Zoning Ordinance for relief from the 60% glazing requirement on a ground level façade for construction of a new building.

Zoning Ordinance

Section 22.3.1 of the City's Zoning Ordinance includes one or more criteria which must be met before a variance can be approved by the Board of Appeals:

Section 22.3.1. Variance Considerations.

A. Relief, if granted, would be in harmony with, or, could be made to be in harmony with, the general purpose and intent of the Zoning Ordinance; or,

Finding:

A primary purpose of the Overlay District is to enhance local aesthetic and functional qualities and to simulate business. While reduction of glazing on the eastern portion of the north façade may be appropriate, the proposed elevations do not provide glazing on the western portion, where pedestrian engagement is likely to stimulate business. Eliminating the glazing requirement along the entire north façade would eliminate pedestrian engagement which the Main Street Overlay District intends to create. Based on these considerations, staff is of the opinion that this condition, as presented, has not been satisfied.

B. The application of the particular provision of the Zoning Ordinance to a particular piece of property, due to extraordinary and exceptional conditions pertaining to that property because of its size, shape, or topography, would create an unnecessary hardship for the owner while causing no detriment to the public; or,

Finding:

The property's shape, topography, and physical conditions existed at the time of the adoption of the ordinance and Main Street Overlay District. The subject property is located at the southeast intersection of Roswell Road and Carpenter Drive. Due to the topography of Carpenter Drive, even after its planned realignment, the north façade of the building will have limited first floor frontage at-grade. Without a variance, glazing would be required along a portion of the façade that would be below grade of Carpenter Drive. Based on these considerations, staff is of the opinion that this condition has been satisfied.

Department Comments

Focus Meeting held on Wednesday, January 7, 2015, and no comments were provided from the following departments: Transportation, Building and Permitting, Fire, Code Enforcement, Arborist, or Site Development.

Conclusion

Staff has reviewed the request relative to the variance standards contained in the Sandy Springs Zoning Ordinance. Staff recommends a condition on the western most portion of the north façade include one set of windows as highlighted on the *Original North Elevation* presented by the applicant. This window would allow some glazing to be retained along the north façade where pedestrian engagement will occur along the sidewalk while granting relief along the eastern portion of the north façade where there are topographic challenges. Additionally windows on the upper story of the north façade should match the size and pattern of those on the upper story of the *West Elevation*. This condition would also allow increased glazing on the north façade by increasing the number of windows. Based upon this review, staff recommends **APPROVAL CONDITIONAL** of the variance request from Section 12B.8.F (2) (c) (i) of the Zoning Ordinance for relief from the 60% glazing requirement on a ground level façade for construction of a new building.

Recommended Condition(s)

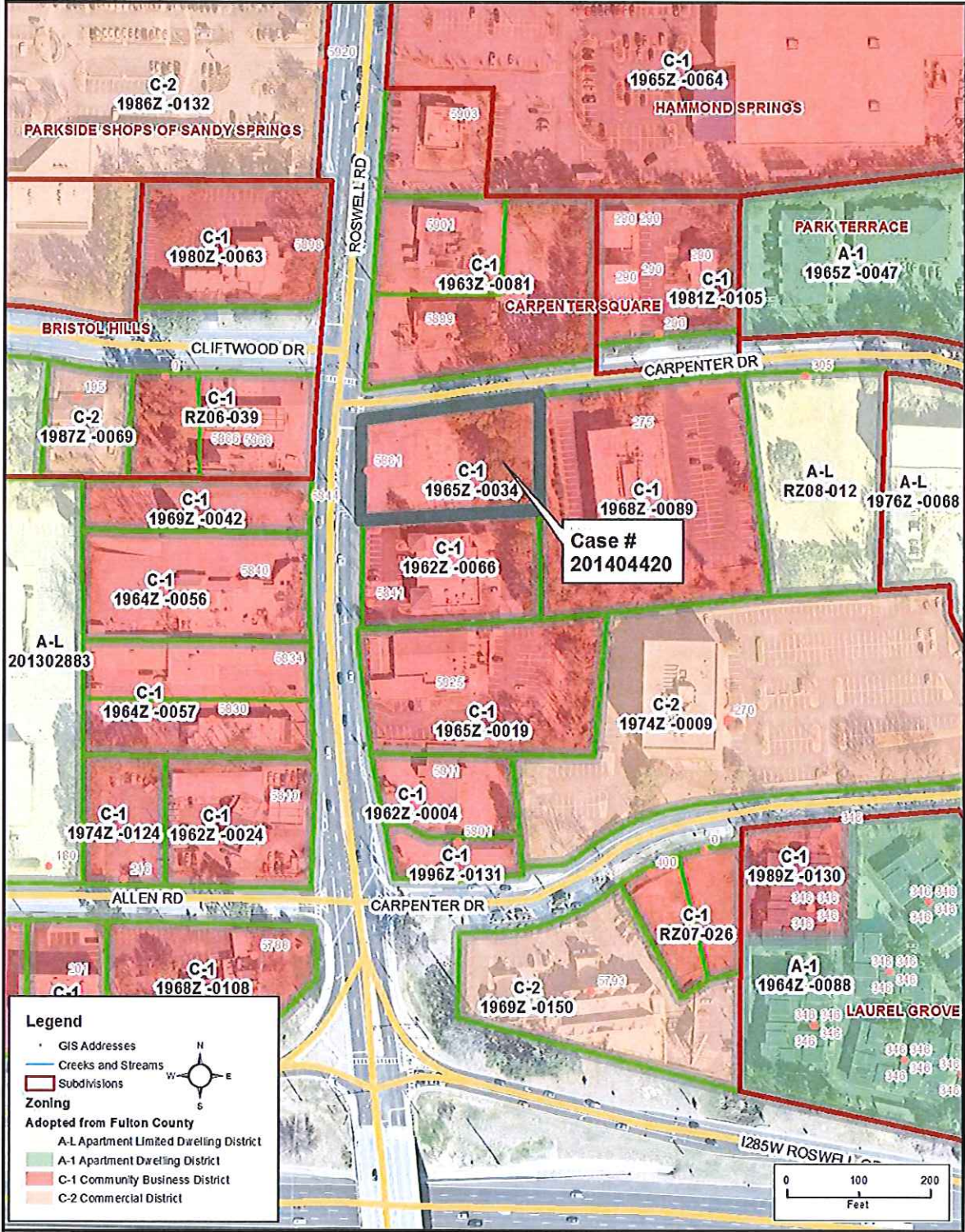
Should the Board of Appeals choose to approve the request, staff recommends the following condition:

- 1) To construct a new building as shown on the site plan dated received December 2, 2014 by the Department of Community Development.
- 2) Provide a window on the western-most portion of the north façade as shown on the *Original North Elevation* dated received December 2, 2014 by the Department of Community Development.
- 3) Provide windows on the upper story of the north façade which match the size and pattern of those on the upper story of the *West Elevation* dated received December 2, 2014 by the Department of Community Development.
- 4) To construct a new building as shown on *Proposed North Elevation* dated received December 2, 2014 by the Department of Community Development.

ATTACHMENTS:

Parcel Map
Proposed Site Plan – Dated received December 2, 2014
Elevations and Renderings – Dated received December 2, 2014
Site Photographs

5861 Roswell Road (SR9)



NOTES: THERE ARE NO EXISTING LANDMARK TREE ON SITE
ALL EXISTING TREES WILL BE REMOVED.

NOTE: DESIGN AND CONSTRUCTION OF STREETScape
ALONG CARPENTER DRIVE WILL BE COMPLETED AS PART
OF THE CARPENTER DRIVE RELOCATION PROJECT.

LANDSCAPE DESIGNED BY:

NEW SPACE DESIGN, INC.
3311 N BERKELEY LAKE RD. SUITE 100
BERKELEY LAKE, GA 30096

CONTACT: LI QI FENG, RLA

Phone: (404) 276-9128
Fax: (770) 783-2978
Email: LI@NEWSPACE.US



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SEAL



REVISIONS

No.	Date	Description

PRINTING

Date	Description

CITI WINE AND SPIRITS

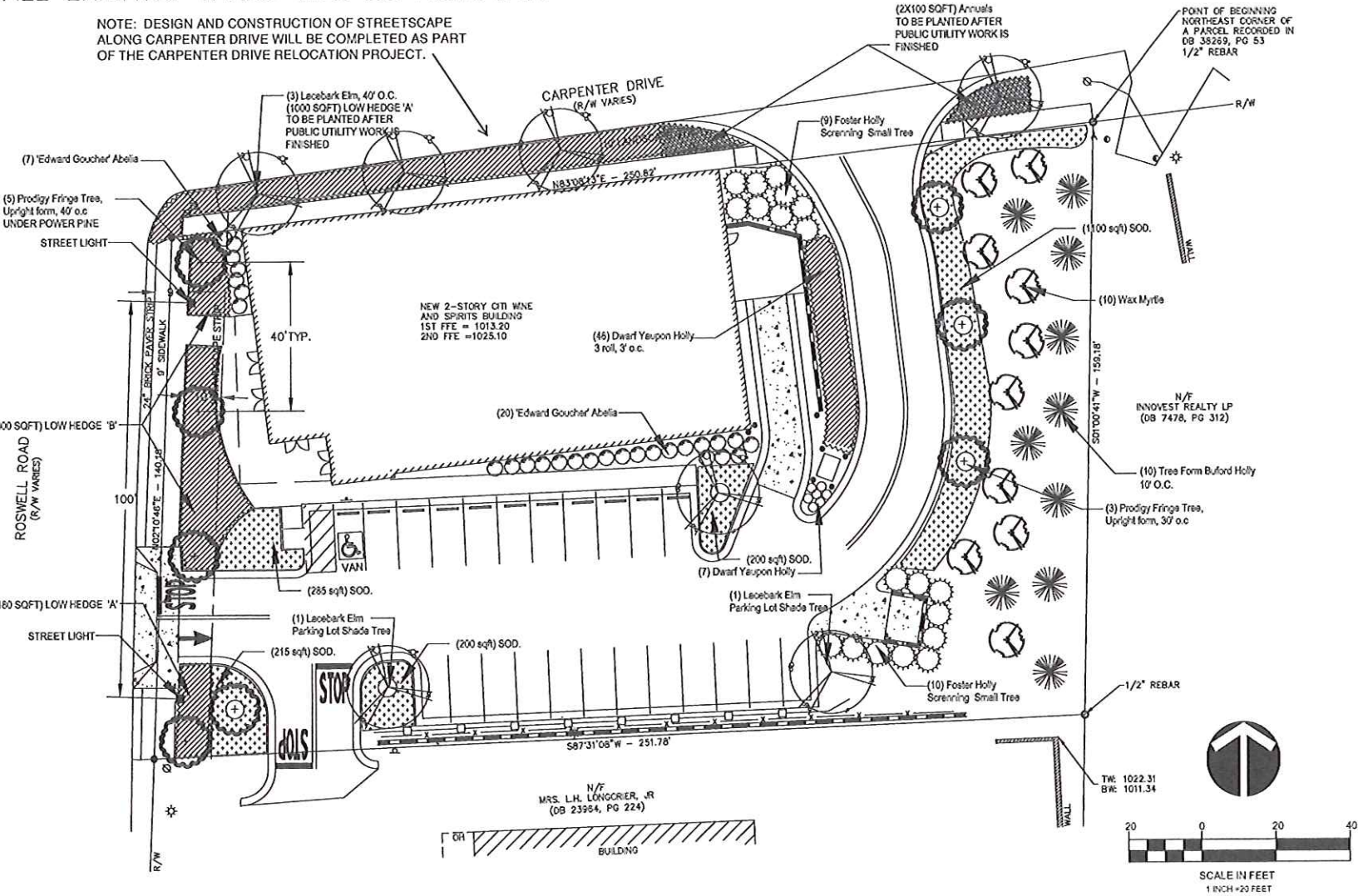
5861 Roswell Rd. Atlanta, GA 30328

KEY PLAN

DATE: 9/29/2014
DRAWN: LQF
CHECKED: LQF
JOB NO: 14013-01

TITLE
LANDSCAPE
PLAN

SHEET NUMBER
L 1.0



NOTES:

1. ALL REQUIRED VEGETATION MUST BE MAINTAINED FOR TWO GROWING SEASONS AFTER THE DATE OF FINAL INSPECTION.
2. NO CERTIFICATE OF OCCUPANCY SHALL BE ISSUED UNTIL ALL REQUIREMENTS OF TREE PLANTING HAVE BEEN SATISFACTORILY COMPLETED.
3. NO CERTIFICATE OF OCCUPANCY SHALL BE ISSUED UNTIL ALL REQUIREMENTS OF TREE PLANTING HAVE BEEN SATISFACTORILY COMPLETED.
4. ALL SHRUB BEDS AND TREE ISLANDS ARE TO BE MULCHED WITH MIN. 6"
5. ALL OTHER DISTURBED AREA SHALL BE SEEDED AND MULCHED
6. CONTRACTOR TO PROVIDE 1 YEAR WARRANTY LETTER TO COVER REQUIRED LANDSCAPING MUST ALSO BE SUBMITTED WITH THE CERTIFICATE OF DEVELOPMENT CONFORMANCE PACKAGE.

TREES					
QTY	BOTANICAL NAME	COMMON NAME	MIN. SPACE	MIN. SIZE	CANOPY COVERAGE SQFT
6	ULMUS PAVIFOLIA UPMIF	BOSQUE LACEBARK ELM	40' O.C.	3" CAL.	6000
8	CHIONANTHUS VIGNICUS 'CVSTF' P.P.A.F.	PRODIGY FRINGE TREE	40' O.C.	3" CAL.	4000
10	ILEX 'NELLIE R STEVENS'	NELLIE R STEVENS HOLLY	AS SHOWN	1.5" CAL. 6'HT.	2500
10	MYRICA SERIFERA	WAX MYRTLE	AS SHOWN	1.5" CAL. 6'HT.	2500
TOTAL 47					15000SQFT

SHRUBS					
QTY	BOTANICAL NAME	COMMON NAME	MIN. SPACE	MIN. SIZE	
HEDGE 'A'	1180 SQFT 75 IN TOTAL, 4' O.C.	JUNIPERUS HORIZONTALIS	BLUE RUG JUN PER	4' O.C.	3 GAL.
27	ABELIA 'EDWARD GORCHER'	EDWARD GORCHER ABELIA	4' O.C.		
HEDGE 'B'	800 SQFT 50 IN TOTAL, 4' O.C.	ILEX CRENATA	JAPANESE HOLLY	4' O.C.	3 GAL.
200 SQFT	ANNUALS				4" POT
2000 SQFT	SOD				
53	ILEX VOMITORIA	DWARF YAUPON HOLLIES	3' O.C.		3 GAL.
19	ILEX ATTENUATA HYBRID 'FOSTERI #2'	FOSTER HOLLY	7'6" O.C.		7 GAL.

RECEIVED

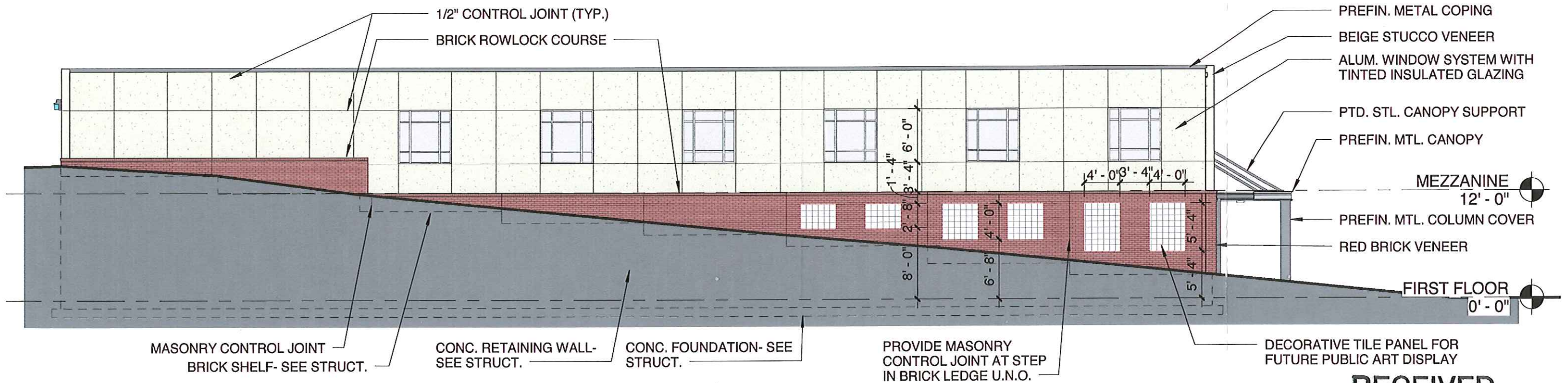
DEC 2 2014

City Of Sandy Springs
Community Development

TOTAL SITE: 37363 SQFT
CANOPY COVERAGE REQUIRED:
40% X 37363=14,945 SQFT
TOTAL PROPOSED: 15000 SQFT.



WEST ELEVATION FOR REFERENCE



PROPOSED NORTH ELEVATION

CITI WINE AND SPIRITS
5861 ROSWELL ROAD SANDY SPRINGS GA

RECEIVED

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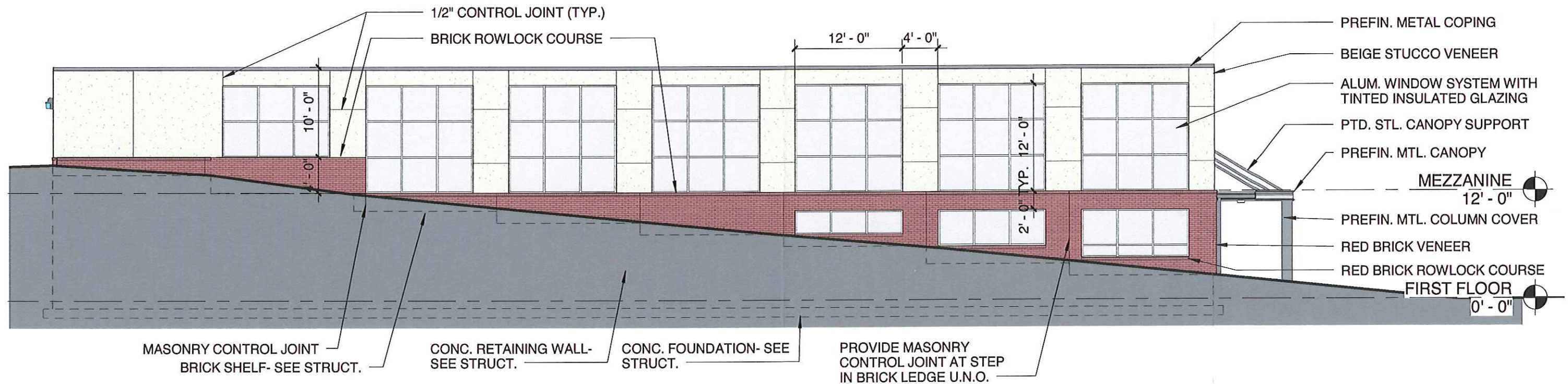
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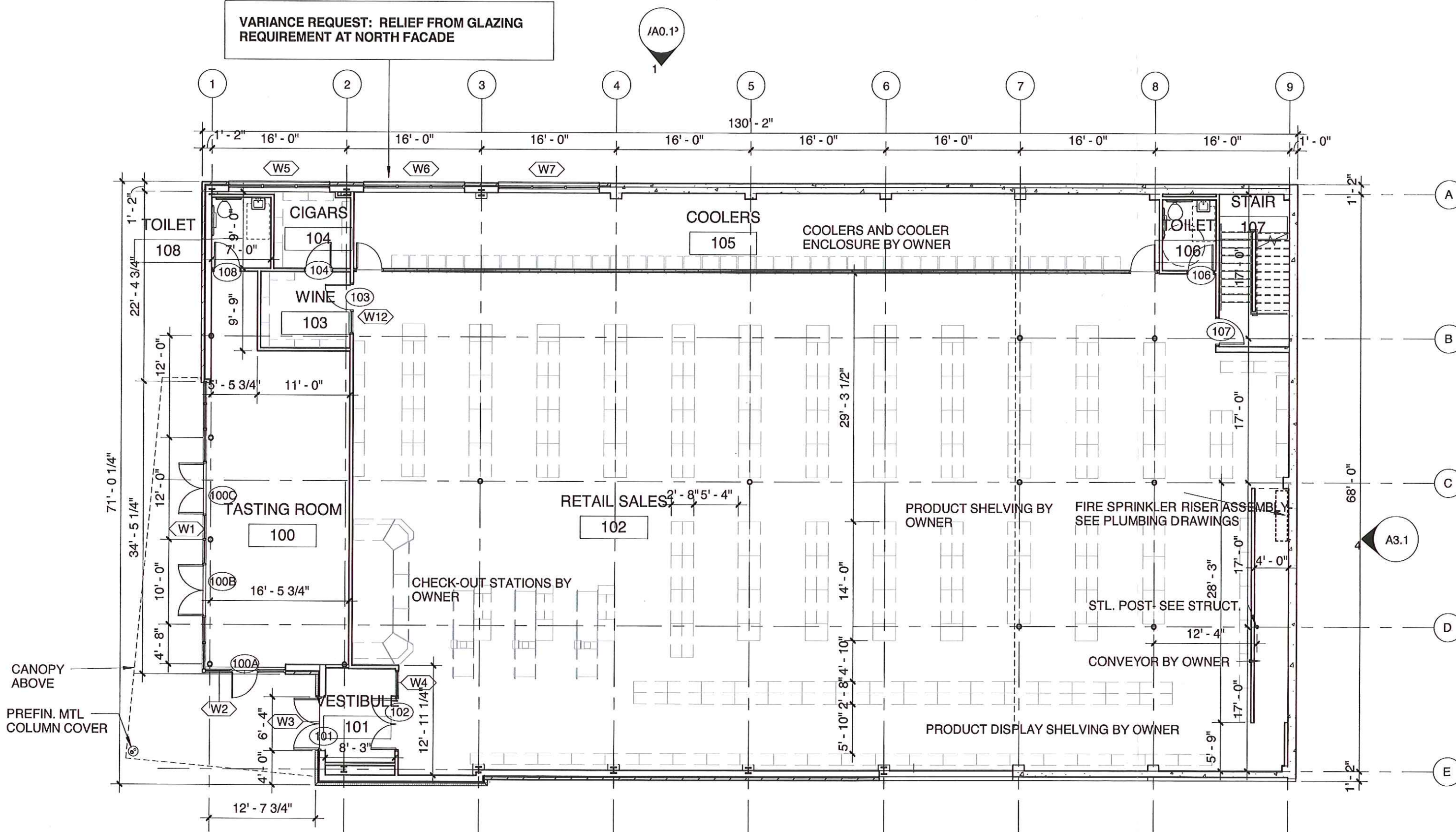
WEST ELEVATION FOR REFERENCE



ORIGINAL NORTH ELEVATION

CITI WINE AND SPIRITS
5861 ROSWELL ROAD SANDY SPRINGS GA

VARIANCE REQUEST: RELIEF FROM GLAZING
REQUIREMENT AT NORTH FACADE



CITI WINE AND SPIRITS
5861 ROSWELL ROAD SANDY SPRINGS GA

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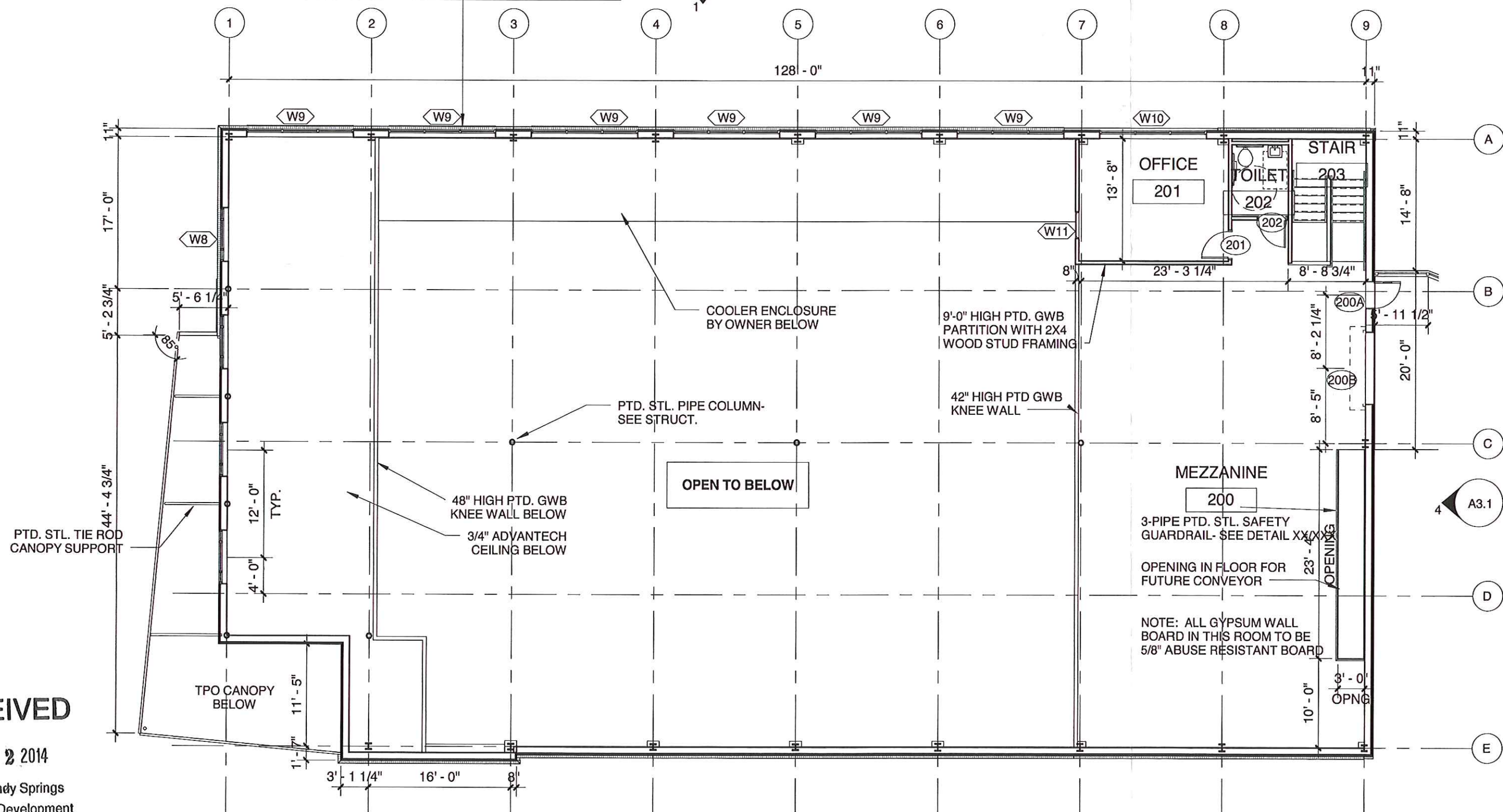
DEC 2 2014

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Community Development

FIRST FLOOR PLAN FOR REFERENCE

VARIANCE REQUEST: RELIEF FROM
GLAZING REQUIREMENT AT NORTH FACADE

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Community Development

CITI WINE AND SPIRITS
5861 ROSWELL ROAD SANDY SPRINGS GA

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A8.0

MEZZANINE PLAN FOR REFERENCE

